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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,059	12/01/2003	Kyung Shig Chung	1349.1336	1727
21171	7590	01/12/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			GHATT, DAVE A	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary

Application No.

10/724,059

Applicant(s)

CHUNG, KYUNG SHIG

Examiner

Dave A Ghatt

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 20-23 is/are pending in the application.
- 4a) Of the above claim(s) 18 and 19 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9,10,15,17 and 22 is/are allowed.
- 6) ☒ Claim(s) 1, 5, 14, 16, 20, 21, and 23 is/are rejected.
- 7) ☒ Claim(s) 2-4,6-8 and 11-13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/01/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 18 and 19 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on December 01, 2004.

Applicant's election with traverse of the restriction requirement in the reply filed on December 01, 2004 is acknowledged. The traversal is on the ground(s) that the inventions are so closely related that all the claims should remain in the application. This is not found persuasive because as stated in the examiner's initial Office Action, the apparatus as claimed can be used to practice another and materially different process, and as a result, each invention requires a separate search.

The requirement is still deemed proper and is therefore made FINAL.

Claim Objections

2. Claims 11-13 are objected to because of the following informalities:

Claim 11 line 1 claims, "The *electrophotographic image forming apparatus* of claim 5." However claim 5 is directed to "a paper guide," whereas claim 9 is directed to an electrophotographic image forming apparatus." It appears as though the applicant meant claim 5 to depend from claim 9.

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Similarly, claims 12 and 13 are also directed to “an electrophotographic image forming apparatus” but depend from claims that recite “a paper guide.”

In other words, claims 11-13 seem to have improper dependency. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 5, 14, 16, 20, 21, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Hashizume et al. (US 5,337,128). As illustrated in Figures 1 and 2, Hashizume et al. teaches the claimed invention. With respect to claims 1, 9, and 22, as shown in Figures 1 and 2, Hashizume et al. teach a paper guide of an image-forming apparatus for guiding a printing paper entering a printing unit. Figures 1 and 2 show, the paper guide comprising a guiding member 62 guiding the printing paper into the fusing unit (74, 76) with a plurality of guiding ribs 70 formed on the guiding member 62 to prevent direct contact of the printing paper with the guiding member, and a blocking bar 64 formed on a leading end *near* the fusing unit (74, 76) of the guiding member wherein a plurality of spaces between the plurality of guiding ribs are blocked by the blocking bar from a space where the fusing unit is formed.

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With respect to claim 5, as illustrated in Figures 1 and 2, Hashizume et al. teaches the blocking bar formed at the same height as the guiding ribs.

With respect to the functional requirements of claims 14 and 16, the structure of Hashizume et al., which meets the structural limitations as recited, is capable of providing the recited functions.

With respect to claim 20, and insofar as a front has been defined, the blocking bar of Hashizume et al. is located in the front of the guiding member in a paper advancing direction. See Figure 27. (Maybe the applicant could define in terms of *upstream* or *downstream*)

With respect to claim 21, the guiding ribs, as shown in Figure 1, are formed on the guiding member 62 in a paper advancing direction.

With respect to claim 23, and the functional requirement for air to be blocked from an outside air so as to remain at a same temperature as the plurality of guiding ribs, the structure of Hashizume et al. meets this limitation.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

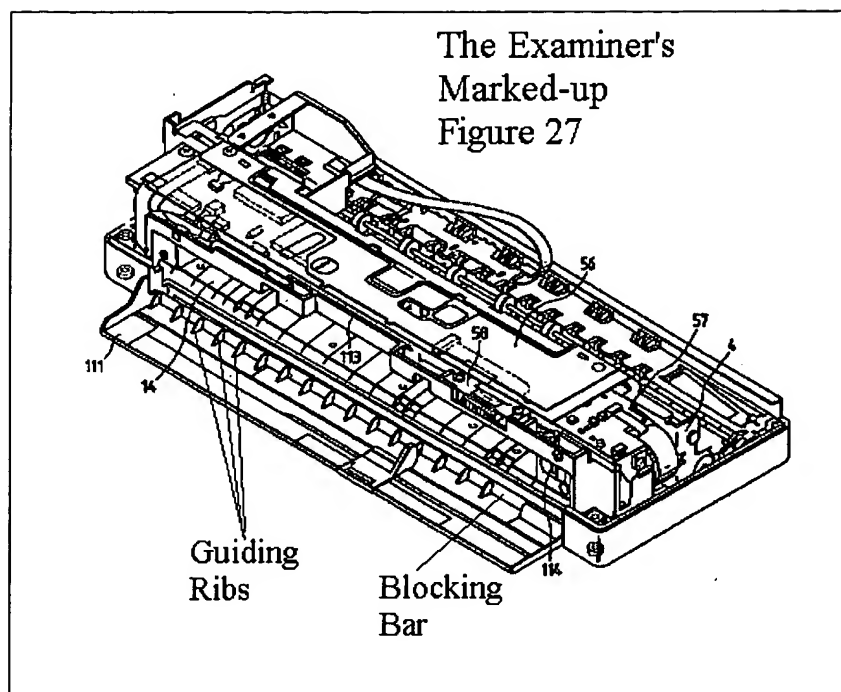
6. Claims 1, 5, 14, 16, 20, 21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nojima et al. (US 6,382,858). With respect to claims 1, 9, and 22, as shown in Figures 26 and 27, Nojima et al. teach a paper guide of an image-forming apparatus for guiding a

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printing paper entering a printing unit. The examiner's Marked-up copy of Figure 27 (below) shows, the paper guide comprising a guiding member 111 guiding the printing paper into the printing unit a plurality of guiding ribs formed on the guiding member 111 to prevent direct contact of the printing paper with the guiding member 111, and a blocking bar formed on a leading end near the printing unit of the guiding member wherein a plurality of spaces between the plurality of guiding ribs are blocked by the blocking bar from a space where the printing unit is formed. In fact, Nojima et al. teaches all the claimed subject matter, except it is not clear if the printing unit includes a fusing unit. However, in view of column 1 lines 12-23 where Nojima et al. teaches different types of applicable printers, including ink jets, wire dot, thermal, and laser beam (which typically includes fusing units) printers, it would have been obvious to one of ordinary skill in the art to use the laser beam printer (with fuser) for the benefit of producing a dry image.

With respect to claim 5, as illustrated in Figure 27, Nojima et al. teaches the blocking bar formed at the same height as the guiding ribs.

With respect to the functional requirements of claims 14 and 16, the structure of Nojima et al., which meets the structural limitations as recited, is capable of providing the recited functions.



With respect to claim 20, and insofar as a front has been defined, the blocking bar of Nojima et al. is located in the front of the guiding member in a paper advancing direction. See Figure 27.

With respect to claim 21, the guiding ribs, as shown in the examiner's marked-up copy of Figure 27, are formed on the guiding member 111 in a paper advancing direction.

With respect to claim 23, and the functional requirement for air to be blocked from an outside air so as to remain at a same temperature as the plurality of guiding ribs, the structure of Nojima et al. meets this limitation. See also Figure 10 showing the blocking of outside air (as broadly recited) during the feeding process.

Allowable Subject Matter

7. Claims 9, 10, 15, 17, and 22 are allowed.

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Claim 9 was allowed because the prior art of record does not teach or render obvious the total combination claimed, including, a paper guide guiding the printing paper to the fusing unit after the printing paper has passed through the developing unit, wherein the paper guide comprises guiding ribs formed on a guiding member to prevent direct contact of the printing paper with the guiding member, and a blocking bar formed on a leading end near the fusing unit of the guiding member, wherein a plurality of spaces between the plurality of guiding ribs are blocked by the blocking bar from a space where the fusing unit is formed.

Claim 22 was allowed because the prior art of record does not teach or render obvious the total combination claimed, including a fusing unit which fuses the image developed on the printing paper, and a paper guide which guides the printing paper to the fusing unit after the printing paper has passed through the developing unit, the paper guide comprising a plurality of guiding ribs formed on a guiding member, and a blocking bar formed on a leading end near the fusing unit of the guiding member, wherein a plurality of spaces are formed in a hexahedron shape and enclosed by the printing paper on a top portion and the blocking bar on a front portion and open on a rear portion to the developing unit when the printing paper is positioned on the plurality of guiding ribs.

8. Claims 2-4, 6-8, 11, 12, and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Claim 2 is indicated as having allowable subject matter because the prior art of record does not teach or render obvious the total combination claimed, including the blocking bar having a triangular section with a slope steeper than a section of the guiding ribs.

Claim 6 is indicated as having allowable subject matter because the prior art of record does not teach or render obvious the total combination claimed, including the blocking bar having a triangular section with a slope steeper than a section of the guiding ribs.

Claim 11 is indicated as having allowable subject matter because the prior art of record does not teach or render obvious the total combination claimed, including the blocking bar having a triangular section with a slope steeper than a section of the guiding ribs.

Conclusion


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave A Ghatt whose telephone number is (571) 272-2165. The examiner can normally be reached on Mondays through Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAG



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